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PATENT

Attorney Docket No. 29914.701.403

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION
A . III !
Art Unit: 3738
Examiner: Not yet assigned
Confirmation No.: 1797

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Sir:

Applicants hereby submit an Information Disclosure Statement along with attached form(s) PTO/SB/08. A copy of each listed publication is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. Applicants further request that the Examiner initial and return the attached form(s) PTO/SB/08 in accordance with MPEP §609.

Applicants reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, prior art or material to patentability as defined in §1.56.

\boxtimes	This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:			
		(1)	It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d) OR	
		(2)	It is being filed within 3 months of entry of a national stage OR	
	\boxtimes	(3)	It is being filed before the mail date of the first Office Action on the merits OR	
		(4)	It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.	
	the fil nation a first	ing dat al stage Office	97(c). If this statement is being filed after the latest of: (1) three months beyond e of a national application; (2) three months beyond the date of entry of the as set forth in §1.491 in an international application, or (3) the mailing date of action on the merits, but before the mailing date of the earlier of a final office §1.113 or a notice of allowance under §1.311, then:	
		a certi	fication as specified in §1.97(e) is provided below; or	
			of \$180.00 as set forth in \$1.17(p) is authorized below, enclosed, or included he payment of other papers filed together with this statement.	
	final c		97(d). If this statement is being filed after the mailing date of the earlier of a stion under §1.113 or a notice of allowance under §1.311, but before payment of then:	
	A.	a certi	fication as specified in §1.97(e) is completed below; and	
	В.		tion under 37 C.F.R. §1.97(d) requesting consideration of this statement is tted herewith; and	
	C.	a fee o	of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included he payment of other papers filed together with this statement.	
	Copie herew		ch of the references listed on the attached Form PTO/SB/08 are enclosed	
Copies of references listed on the attached Form PTO/SB/08 are enclosed THAT:			erences listed on the attached Form PTO/SB/08 are enclosed herewith EXCEPT	
			ew of the voluminous nature of references, and the likelihood that these nces are available to the Examiner in the file history of the parent application l No.), copies are not enclosed herewith.	
			If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.	

		Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i).				
	There are no listed references which are not in the English language.					
	The relevance of those listed references which are not in the English language is as follows:					
	Attached are copies of search report(s) from corresponding patent application(s), submitted in accordance with MPEP 609 D in support of the attached certification under 37 CFR 1.97(e)(1).					
	Attached are the following non-published pending patent applications which may be deemed relevant.					
	Fee Authorization. The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No.29914.701.403).					
		Respectfully submitted,				
		WILSON SONSINI GOODRICH & ROSATI				
650 Pa	age Mill	By: Berjamin Glenn, Reg. No. 44,713 1 Road A 94304-1050				

2846739_1.DOC Attorney Docket No. 29914.701.403

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PTO SB-08A (08-03)

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
(Use as many sheets as necessary)

Filing Date

O9/09/2003

First Named Inventor

Art Unit

3738

Examiner Name

Not yet assigned

Sheet 1 of 1 Attorney Docket Number 29914.701.403

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-2001/0012938	08/09/2001	Zucherman et al.	
		US-2001/0020170	09/06/2001	Zucherman et al.	
		US-2002/0029039	03/07/2002	Zucherman et al.	
		US-2002/0151895	10/17/2002	Soboleski et al.	
		US-2004/0116927	06/17/2004	Graf	
		US-2004/0127989	07/01/2004	Dooris et al.	
		US-2004/0143264	07/22/2004	McAfee	·
		US-RE 36,221	06/01/1999	Breard et al.	
		US-5,092,866	03/03/1992	Breard et al.	
		US-5,258,031	11/02/1993	Salib et al.	
		US-5,415,661	05/16/1995	Holmes	
		US-5,425,773	06/20/1995	Boyd et al.	
		US-5,527,312	06/18/1996	Ray	
		US-5,562,738	10/08/1996	Boyd et al.	
		US-5,836,948	11/17/1998	Zucherman et al.	
		US-5,860,977	01/19/1999	Zucherman et al.	
		US-6,048,342	04/11/2000	Zucherman et al.	
		US-6,068,630	05/30/2000	Zucherman et al.	
		US-6,293,949	09/25/2001	Justis et al.	
_		US-6,419,703	07/16/2002	Fallin et al.	
		US-6,565,605	05/20/2003	Goble et al.	
		US-6,579,319	06/17/2003	Goble et al.	
		US-6,610,091	08/26/2003	Reiley	
		US-6,669,729	12/30/2003	Chin	
		US-6,761,720	07/13/2004	Senegas	
		US-6,783,527	08/31/2004	Drewry et al.	

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ²Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ³Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.